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23 NATIONAL FOOTBALL LEAGUE,

24 NFL PROPERTIES LLC

25 **(Additional counsel listed on next page)**

16 UNITED STATES DISTRICT COURT

17 EASTERN DISTRICT OF PENNSYLVANIA

18 IN RE: NATIONAL FOOTBALL
19 LEAGUE PLAYERS' CONCUSSION
20 INJURY LITIGATION

MDL No. 2323

Master Case No. 12-md-2323

Individual Case No. 2:13-cv-05200

21 Hon. Anita B. Brody

22 THIS DOCUMENT RELATES TO:

**STIPULATION TO AMEND
COMPLAINT**

23 BRYAN CALDWELL, ET AL. V.
24 NATIONAL FOOTBALL LEAGUE, ET
25 AL.

[TITLE OF PLEADING]

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Attorneys for Defendants
RIDDELL, INC. d.b.a. RIDDELL
SPORTS GROUP, INC., ALL
AMERICAN SPORTS
CORPORATION, d.b.a.
RIDDELL/ALL AMERICAN;
RIDDELL SPORTS GROUP, INC.
EASTON-BELL SPORTS, INC.;
EASTON-BELL SPORTS, LLC; EB
SPORTS CORP.; and RBG
HOLDINGS CORP.

1 This Stipulation is made by and between Plaintiffs and Defendants, by and
2 through their counsel of record, with reference to the following facts:

3 WHEREAS, Plaintiffs filed their Complaint in the Superior Court of the State
4 of California, Los Angeles County, on July 6, 2013;

5 WHEREAS, the United States District Court for the Eastern District of
6 Pennsylvania issued a Conditional Transfer Order on August 21, 2013 to transfer the
7 case to the Eastern District of Pennsylvania pursuant to Rule 7.1 of the Rules of
8 Procedure of the United States Judicial Panel on Multidistrict Litigation;

9 WHEREAS, the Conditional Transfer Order was finalized on August 29, 2013;

10 WHEREAS, without prejudice to or waiver of any jurisdictional argument
11 Plaintiffs may wish to assert, Plaintiffs will file an amendment to the Complaint to
12 add parties whom Plaintiffs contend are additional similarly-situated plaintiffs, Clive
13 Bullian and Kay Bullian;

14 WHEREAS, Defendants do not contest Plaintiffs' amendment of the
15 Complaint;

16 WHEREAS, Defendants' consent to Plaintiffs' amendment of the Complaint to
17 add additional plaintiffs is provided in light of the liberal standards for amending
18 pleadings under Rule 15 of the Federal Rules of Civil Procedure and is without
19 waiver of—and is with total reservation of—any of their defenses, arguments, and
20 positions with regard to the Complaint, either as it currently exists or as amended,
21 including but not limited to arguments concerning timeliness and limitations of
22 actions, failure to state a claim, joinder and severance, or any other arguments.
23 Plaintiffs will not argue, and this Stipulation is not to be and cannot be taken to
24 support any argument of purported waiver of any defense positions or arguments.

25 NOW THEREFORE, Plaintiffs and Defendants, through their counsel of
26 record, stipulate to the following:

27 IT IS HEREBY STIPULATED that Defendants consent to Plaintiffs'
28 amendment of the Complaint.

1 DATED: 11/22, 2013

ROSE, KLEIN & MARIAS LLP

2 By:

3 DAVID A. ROSEN

4
5 Attorneys for Plaintiffs

6 DATED: 11/20, 2013

7 PAUL, WEISS, RIFKIND, WHARTON
8 & GARRISON LLP

9 By:

10 DAVID S. KARP

11 -and-

12 MUNGER, TOLLES & OLSON LLP
13 Attorneys for Defendants
14 NATIONAL FOOTBALL LEAGUE
15 and NFL PROPERTIES LLC

16 DATED: 11/20, 2013

17 BOWMAN AND BROOKE LLP

18 By:

19 MARION V. MAUCH

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EASTON-BELL SPORTS, INC.;
EASTON-BELL SPORTS, LLC; EB
SPORTS CORP.; and RBG HOLDINGS
CORP.